

SEC. 5. That nothing in this Act contained shall be so construed as to prevent Congress from altering, amending, or repealing the same.

Amendment, etc.

Approved, April 3, 1928.

**CHAP. 313.**—Joint Resolution To provide for the expenses of participation by the United States in the Second Pan American Conference on Highways at Rio de Janeiro.

April 3, 1928.

[S. J. Res. 30.]

[Pub. Res., No. 24.]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$15,000 for the expenses of participation by the United States in the Second Pan American Conference on Highways at Rio de Janeiro, including the compensation of employees, transportation, subsistence or per diem in lieu of subsistence (notwithstanding the provisions of any other Act), including expenses of delegates in visiting Colombia and Venezuela in connection with the conference, and such miscellaneous and other expenses as the President shall deem proper.

Pan American Conference on Highways, Second.

Expenses authorized for participating in, at Rio de Janeiro.

Post, p. 913.

Approved, April 3, 1928.

**CHAP. 314.**—An Act Authorizing J. E. Turner, his heirs, legal representatives, or assigns, to construct, maintain, and operate a bridge across the Ocmulgee River at or near Fitzgerald, Georgia.

April 4, 1928.

[H. R. 9831.]

[Public, No. 236.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, J. E. Turner, his heirs, legal representatives, or assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Ocmulgee River at a point suitable to the interests of navigation at or near a point on the said Ocmulgee River where a line would cross the said Ocmulgee River were it extended from Fitzgerald, Ben Hill County, Georgia, in a northeasterly direction through McRae in Telfair County, Georgia, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Ocmulgee River. J. E. Turner may bridge, at Fitzgerald, Ga.

Construction. Vol. 34, p. 84. Post, p. 1447.

Acquisition authorized, after completion, by Georgia, etc.

SEC. 2. After the completion of such bridge, as determined by the Secretary of War, either the State of Georgia, any political subdivision thereof within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation, in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of twenty years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion cost,

Condemnation proceedings.

Compensation if acquired by condemnation.

Limitations.

not to exceed 10 per centum of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property; and (4) actual expenditures for necessary improvements.

SEC. 3. If such bridge shall at any time be taken over or acquired by the State of Georgia, or by any municipality or other political subdivision or public agency thereof, under the provisions of section 2 of this Act, and if tolls are charged for the use thereof the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing costs, as soon as possible under reasonable charges but within a period of not to exceed twenty years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 4. J. E. Turner, his heirs, legal representatives, or assigns, shall, within ninety days after the completion of such bridge, file with the Secretary of War and with the highway department of the State of Georgia a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and, at the request of the highway department of the State of Georgia, shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said J. E. Turner, his heirs, legal representatives, or assigns, shall make available all of his records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 2 of this Act, subject only to review in a court of equity for fraud or gross mistake.

SEC. 5. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to J. E. Turner, his heirs, legal representatives, or assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 6. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 4, 1928.

Tolls under State,  
etc., operation.

Rates applied to oper-  
ation, sinking fund,  
etc.

Maintenance as free  
bridge, etc., after amor-  
tizing costs.

Record of expendi-  
tures and receipts.

Sworn statement of  
construction costs to be  
filed after completion.

Examination by Sec-  
retary of War.

Findings of Secretary  
conclusive.

Right to sell, etc.,  
conferred.

Amendment.